UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/47/588
20 November 1992

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 133

REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

Report of the Sixth Committee

Rapporteur: Mr. Wael Kamal ABOULMAGD (Egypt)

I. INTRODUCTION

1. The item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" was included in the provisional agenda of the forty-seventh session of the General Assembly pursuant to paragraph 8 of Assembly resolution 46/58 of 9 December 1991.

2. At its 3rd plenary meeting, on 18 September 1992, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. In connection with the item, the Sixth Committee had before it the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, 1/ which was introduced by the Vice-Chairman of the Special Committee at the 12th meeting of the Committee, on 12 October 1992.

4. The following communications were also circulated under the item:

(a) Letter dated 23 December 1991 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (A/47/67);

1/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 33 (A/47/33).

(b) Letter dated 27 December 1991 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General (A/47/60-S/23329);

(c) Letter dated 30 July 1992 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General (A/47/356-S/24367);

(d) Letter dated 6 October 1992 from the Permanent Representative of Oman to the United Nations addressed to the President of the General Assembly (A/47/516).

5. The Sixth Committee considered the item at its 12th to 18th and 37th meetings, held from 12 to 21 October and on 19 November 1992. The summary records of those meetings (A/C.6/47/SR.12-18 and 37) contain the views of the representatives who spoke during the consideration of the item.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/47/L.15

6. At the 37th meeting, on 19 November, the representative of Egypt introduced a draft resolution entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" (A/C.6/47/L.15), sponsored by Argentina, Belgium, Brazil, Canada, Chile, Colombia, Cyprus, Czechoslovakia, Ecuador, Egypt, El Salvador, Finland, Guatemala, Indonesia, Malaysia, Morocco, New Zealand, Nigeria, Oman, the Philippines, Spain, Tunisia, Uruguay and Venezuela, later joined by Germany, Guinea, Hungary, Italy, Japan, Mexico, Moldova, Romania and Sierra Leone.

7. The Committee had before it a statement by the Secretary-General (A/C.6/47/L.17) on the programme budget implications of the draft resolution.

8. At its 37th meeting, on 19 November, the Committee adopted draft resolution A/C.6/47/L.15 without a vote (see para. 9).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions, 2/

Bearing in mind the reports of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh, 3/ thirty-ninth, 4/ fortieth, 5/ forty-first, 6/ forty-second, 7/ forty-third, 8/ forty-fourth, 9/ forty-fifth, 10/ forty-sixth, 11/ and forty-seventh 12/ sessions, as well as the views and comments expressed on them by Member States,

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2/ Resolutions 31/28 of 29 November 1976, 32/45 of 8 December 1977, 33/94 of 16 December 1978, 34/147 of 17 December 1979, 35/164 of 15 December 1980, 36/122 of 11 December 1981, 37/114 of 16 December 1982, 38/141 of 19 December 1983, 39/88 of 13 December 1984, 40/78 of 11 December 1985, 41/83 of 3 December 1986, 42/157 of 7 December 1987, 43/170 of 9 December 1988, 44/37 of 4 December 1989, 45/44 of 28 November 1990 and 46/58 of 9 December 1991.

3/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1).

4/ Ibid., Thirty-ninth Session, Supplement No. 1 (A/39/1).

5/ Ibid., Fortieth Session, Supplement No. 1 (A/40/1).

6/ Ibid., Forty-first Session, Supplement No. 1 (A/41/1).

7/ Ibid., Forty-second Session, Supplement No. 1 (A/42/1).

8/ Ibid., Forty-third Session, Supplement No. 1 (A/43/1).

9/ Ibid., Forty-fourth Session, Supplement No. 1 (A/44/1).

10/ Ibid., Forty-fifth Session, Supplement No. 1 (A/45/1).

11/ Ibid., Forty-sixth Session, Supplement No. 1 (A/46/1).

12/ Ibid., Forty-seventh Session, Supplement No. 1 (A/47/1).

Noting the recommendations relevant to the work of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization contained in the report of the Secretary-General entitled "An Agenda for Peace", 13/ in the light of the debate within the United Nations, particularly within the General Assembly,

Having considered the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of its session held in 1992, 14/

Mindful of the desirability of further work being done by the Special Committee in the fields of the maintenance of international peace and security and the peaceful settlement of disputes between States,

Bearing in mind various proposals presented to the General Assembly at its forty-seventh session aimed at strengthening the role of the Organization and enhancing its effectiveness,

1. Takes note of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization; 14/

2. Decides that the Special Committee will hold its next session from 1 to 19 March 1993;

3. Requests the Special Committee, at its session in 1993, in accordance with the provisions of paragraph 4 below:

(a) To accord priority to the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context:

(i) To continue its consideration of the proposal on the enhancement of cooperation between the United Nations and regional organizations;

(ii) To continue its consideration of the proposal on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter;

(iii) To consider other specific proposals relating to the maintenance of international peace and security already submitted to the Special Committee or which might be submitted to the Special Committee at its session in 1993;

13/ A/47/277-S/24111.

14/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 33 (A/47/33).

(b) To continue its work on the question of the peaceful settlement of disputes between States and, in this context:

(i) To consider the proposal on United Nations rules for the conciliation of disputes between States;

(ii) To consider other specific proposals relating to the question of the peaceful settlement of disputes between States already under consideration in the Special Committee or those that might be submitted to the Special Committee at its session in 1993;

(c) To consider various proposals with the aim of strengthening the role of the Organization and enhancing its effectiveness;

4. Also requests the Special Committee to be mindful of the importance of reaching general agreement whenever that has significance for the outcome of its work;

5. Decides that the Special Committee shall accept the participation of observers of Member States in its meetings, including those of its working group, and also decides that the Special Committee shall be authorized to invite other States or intergovernmental organizations to participate in the debate in plenary meetings of the Committee on specific items where the Committee considers that such participation would assist in its work;

6. Requests the Special Committee to submit a report on its work to the General Assembly at its forty-eighth session;

7. Decides to include in the provisional agenda of its forty-eighth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".